

I reiterate: Who else would be better to oversee \$1 trillion in spending than TOM PRICE, chairman of the Budget Committee, former member of Ways and Means, an accomplished legislator who put together the largest orthopedic practice in Atlanta, GA, and the State of Georgia? He is well qualified and eminently qualified. This body should overwhelmingly confirm his nomination to be U.S. Secretary of Health and Human Services in the United States of America.

I am proud as his friend, I am proud as a former associate and legislator, I am proud as the person he succeeded in the U.S. House of Representatives, and I am proud as an American citizen to know that our President has picked someone who is eminently qualified, who has an impeccable record of success in his legislative jobs, who is a fine family man, a member of his church, a disciplined member of his political party and, most importantly, a man who loves his country and is volunteering to sacrifice his time and his knowledge to make America's Department of Health and Human Services better.

Lastly, there is a little rumor going around that he is not for extending Social Security. That is ironic to me. Let me tell you what he and I did in November and December. We traveled throughout Georgia on behalf of AARP, presenting ways to save Social Security. Day in and day out, TOM PRICE is on the record of the State of Georgia, fighting to preserve Social Security for those who have it and for those who will get it in the future. So don't take this disparate impact of extraneous facts someone put together to try to make a wrong out of a right. Instead, look at the record of an impeccable legislator, a dedicated family man, a great American, and the next Secretary of Health and Human Services of the United States of America, Dr. TOM PRICE.

I commend him to every Member of this Senate and hope you will confirm him when his vote comes before the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOEVEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE REPLACEMENT PLAN

Mr. CASSIDY. Mr. President, I was pleased to see on the front page of the Washington Post that President-Elect Trump was speaking about how we should maintain at least the number of people covered under ObamaCare in a new kind of replacement for that portion of ObamaCare. If you will, I agree totally with him. We should fulfill this

promise and do it, as he said, at a lower cost.

We think we have a mechanism to do so with Senator COLLINS. We will speak to that today. First, let me point out, for those who are praising ObamaCare, I will say that since it has passed, the American people have been voting consistently against candidates who supported ObamaCare, culminating in the election of President-Elect Trump. So whatever folks might say about how wonderful it is, the American people are voting against it consistently.

That said, there is a mandate from the American people not just to repeal but to replace. So it is not that the American people don't want to have coverage, and they want folks with pre-existing conditions to have their issues addressed, but what they are concerned about is the way ObamaCare was forced upon them, with the power of Washington, DC, reaching into their own life, if you will, to their kitchen table, promising them penalties unless they comply with the Washington bureaucrats directly. That is what the American people do not like.

So, first, can we maintain coverage? President-Elect Trump said we are going to have insurance for everybody. Two, will we cover more? Yes. Three, can we lower costs? The answer there is yes.

Now, let's first speak to covering more Americans than ObamaCare. President-Elect Trump, Majority Leader MCCONNELL, and Speaker RYAN have all committed to maintaining coverage for all.

People speak of the advances made under ObamaCare. I will give them those advances. There are still 30 million people uninsured. Our alternative has the potential to cover 95 percent of Americans without a mandate. The way we do this is that as we return power to the States, we give States the option of saying that everyone who is eligible for coverage is enrolled unless they choose not to be.

Just like when I turned 65 and I am on Medicare. I am on Medicare. I don't feel it is a mandate. No one calls me up. Indeed, if I don't want to be on Medicare, I have to call someone up and tell them I don't want to be on it. State legislatures would have the option to say you are in unless you call and tell us you are out. I say that addresses two folks who are hard to reach; the fellow whose life is so in disarray that he is living beneath a park bench and the typical 28-year-old male who never thinks about health insurance. All of a sudden he is in without even realizing he is in, until he needs it, and then he will be very pleased.

On the other hand, if you don't want to be in, we make it easy to get out. By the way, I spoke of that fellow living beneath the park bench. As a physician who has worked in a hospital for the uninsured for 30 years, that was not tongue-in-cheek, and that is not a throwaway line. That person living beneath the park bench will never have

his life well enough together, or almost never, to go to a public library to log onto healthcare.gov. He does not have a W-2—and if he did, he lost it long ago—to submit it to sign up.

Under our program, he is enrolled. What are the benefits that he would get? He would have a health savings account so that if he goes to the urgent care center with a nail in his foot, it is covered. He has a pharmacy benefit, so that if he gets his life together while he is at that urgent care center to take an antipsychotic, he has a pharmacy benefit. Lastly, if something terrible happens, he is hit by a car or something, then he is brought to the hospital and that catastrophic coverage protects society against the cost of his hospitalization.

By the way, under our plan, we give States the power. I would like to think that this is something Democrats and Republicans can agree to. When Republicans say: You can keep your plan if you like it, and we mean it, we mean it. The way we would do this is that Congress would give States alternative options. The State would have the choice.

The State could go with the alternative, which we will lay out. The State could opt for nothing, no Medicaid expansion and no help for their lower income folks, or the State could opt to stay in ObamaCare. If Illinois, California, Massachusetts, New York want to stay in ObamaCare, we think they should have the right to stay in ObamaCare.

ObamaCare, if it is working for your State, God bless you. On the other hand, it is not working for a State where there are double-digit and sometimes triple-digit premium increases in 1 year.

So the State could choose to stay in ObamaCare, for nothing, or for the alternative, which we lay out for them. By the way, I would say that those who govern closest to those who are governed govern best. We know that the State of Alaska is far different than the State of California, Illinois, Louisiana, or New York. So let those States decide the system that works best for them.

What is the timeline? This year, 2017, we would like to repeal ObamaCare but put in place the legislation which allows, in 2018, for a State legislature or a Governor to choose the option they wish and the method by which they wish to enroll the people of their State. In 2019, the State would implement the replacement option of their choice. By 2020, the repeal and the replace would have been finished.

If, at a later date, a State wishes to change their option—they decided to stay with ObamaCare but on second thought now they wish to have the alternative we lay out, which I actually think would be something that might happen, they could choose that as a later option.

We are not being partisan. I tell folks, this is not a Republican plan, not

a Democratic plan, it is a patient plan, born out of my experience working in a public hospital for the uninsured; that if you give the patient the power, things line up. If we can make it an American patient plan, it does not matter what your State decides. I am comfortable that we will end up in the right place.

Our goal is to fulfill President-Elect Trump's promise, more coverage at lower cost. We think we have laid out a pathway which can truly be bipartisan to achieve that goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, first, let me start by commending the Senator from Louisiana for all of the thought and the work he has put into coming up with an alternative plan that would fix ObamaCare and result in more Americans having affordable health insurance. As a physician, Senator CASSIDY cares deeply about his patients and about patients in general. His goal, which I share, is to make sure every American has access to affordable health care. I commend him for his hard work and leadership.

There has been much debate lately on the best approach to replacing and reforming the Affordable Care Act, also known as ObamaCare. Some of my colleagues have argued for immediate repeal without any replacement, an option I reject, for it risks leaving millions of vulnerable Americans without affordable health insurance and would undo important consumer protections provided by current law.

Others have proposed repeal with a delayed effective date of 2 or 3 years to allow time for the Senate to devise legislation that would provide a better approach to health insurance. My concern with the repeal-and-delay plan is that the ObamaCare exchanges, already on very shaky financial ground, would go into a death spiral as consumers would face uncertainty and insurers would have no basis for pricing their policies.

Already we have seen insurers fleeing the marketplaces in many States, reducing choices for consumers. In some States, only one or two insurers remain on the exchanges, leaving individuals and families with few, if any, choice of insurance carriers. Every single one of the 23 State cooperatives whose startup costs were financed by ObamaCare has experienced severe financial problems and only five remain operational today.

Many States, including Maine, are experiencing double-digit increases in premiums, causing increased costs for consumers and for taxpayers. So repeal and delay would only exacerbate this problem.

I am pleased to see a growing consensus among Members of both the Senate and the House that we must fix ObamaCare, provide reforms at nearly the same time that we repeal the law, in order to protect families who rely on

the program and to give insurers time to transition to a new marketplace that is based on more choices for consumers.

Many of us have been working for years on proposals to reform our health care system, to expand coverage, and to encourage new delivery systems that would help restrain the growth in health care costs. That is what the legislation that I am going to be pleased to be joining my colleague from Louisiana on, would do. It is focused on giving more choices while ensuring that consumers have access to affordable health insurance.

We have advanced bipartisan proposals in the past to deal with provisions of the law that have increased costs and discouraged employers from hiring full-time workers. Regrettably, every such reform has been met with a veto threat. That is why we continued to work.

In 2015, I joined Senator CASSIDY in introducing a more comprehensive and creative approach, the Patient Freedom Act, which is the basis for the legislation we are going to be introducing soon. It would allow States to have more choices. If they like the Affordable Care Act, they can keep the Affordable Care Act. If they want to go an alternative route that is more patient-centered, that would provide more choices and help to restrain costs, they can do that, too, and the Federal Government would bundle the funding that would otherwise be used for ACA subsidies and the expansion of Medicaid in their State and allow them to proceed along a more creative route.

We recognize how different the needs of our States are, but our citizens should have access to affordable health care and be able to choose the path that works best for them.

We will be talking more about the specifics of our bill when we introduce it, but I am excited about this approach. I am not saying it is perfect, but it is important that we put specific proposals on the table that our colleagues can coalesce around, debate, and refine so that we can move ahead and remove the fear and uncertainty of families who are relying on coverage through the exchanges without putting an undue burden on the employers who create jobs in this country.

Mr. President, let me again commend the Senator from Louisiana. He has worked so hard to come up with a fresh approach. He has been very open to suggestions that I and others have made.

We all understand the importance of maintaining the consumer protections that help individuals with preexisting conditions, that ensure that young people can remain on their parents' insurance policies until age 26, and that prohibit lifetime caps. Those provisions would remain. But what we want to do is to allow our States the option of selecting a different path that will lead to patient-directed reforms that contain costs and provide citizens with

more health care choices. The Patient Freedom Act does just that.

Again, I want to commend my colleague Senator CASSIDY for his leadership.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me start by commending my colleagues from Louisiana and Maine. I really believe their approach to the Affordable Care Act is much more reasonable than what we have heard in the past from some.

Senator COLLINS just went through a litany of options of repeal and run or repeal and replace 2 years from now. None of those are good options, and there is a reason why there is a backlash against this repeal effort across the country now, even among many Republicans as they consider the chaos that would be created by simply repealing it.

I don't know the merits of the proposal they brought before us. I can tell you, having been through the debate on the Affordable Care Act, which went on for years, that there are many complex questions that need to be addressed to satisfy all of us that we are doing the best we can do to give affordable, quality health care to more and more people across the United States.

The Congressional Budget Office just put out its report on what would happen if we just repealed, and it is a disaster. The number of people who are uninsured would increase by 18 million in the first new year following enactment of a repeal bill.

Later, after the elimination of the ACA's expansion of Medicaid eligibility and subsidies for insurance purchased through the ACA, that number will increase to 27 million more uninsured and then to 32 million in 2026. Disastrous.

Premiums in the nongroup market—and those are folks who don't work for companies that provide health insurance—premiums in the nongroup market, with just repeal, would increase by 20 to 25 percent in the first year and then reach 50 percent in the year following the elimination of the Medicaid expansion and would double by 2026. So fewer people would have insurance, and those who do would pay dramatically more.

So we shouldn't take this as just a matter of being able to have a bragging right about repeal. If we are serious about legislating, we should be looking at the options to find out how to make the Affordable Care Act better or how to approach it in a different manner.

I commend my colleagues on the Republican side. Here is what it comes down to: If a handful of Republican Senators will say to the leadership: We are not going to vote to repeal until we have a replacement, then we can have a constructive conversation. But this notion of repealing the Affordable Care Act and then getting around to replacing it at some later time is irresponsible, will create chaos, and really says

to the American people: We are no longer committed to making sure your family has the peace of mind of good health insurance. So I thank them for the efforts they have put into this, and I look forward to working with them.

PRESIDENT OBAMA'S LEGACY

Mr. DURBIN. Mr. President, yesterday I went to the White House. It was a great celebration of the World Series champion Chicago Cubs being recognized in the White House by our President from Illinois, Barack Obama. Of course, he is a White Sox fan, and he didn't apologize or change his stripes, but it was a great day of celebration. During the course of it, he said it was his last public event in the White House, and I came to realize that we are only days away from a new President and President Obama leaving.

I think back to a memorable moment in my life which most people wouldn't have remembered, but I will never forget. It was July 27, 2004. The place was Boston, MA. At the last minute, I was called on to introduce a friend of mine, a skinny lawyer and State senator from Illinois who was about to deliver the keynote address at the 2004 Democratic National Convention. His name was Barack Obama. I had known him for several years. I knew he was an extraordinarily gifted politician, and I knew he was a very good person.

I had seen him inspire many audiences back home, including some in the most unlikely places. I once saw him hold spellbound a group of blue-collar workers and farmers in Carroll, IL—a town which in the 1960s was completely devastated by racial tension and the presence of a local branch of the Ku Klux Klan—but even I was not prepared for the powerfully moving speech Barack Obama gave after I introduced him in Boston. It has been quoted in the Times. He told us:

There is not a liberal America and a conservative America—there is the United States of America. There is not a Black America and a White America and Latino America and Asian America—there's the United States of America.

He went on to say:

The pundits like to slice and dice our country into red States and blue States; red States for Republicans, blue States for Democrats. But I've got news for them, too. We worship an awesome God in the blue States, and we don't like Federal agents poking around in our libraries in the red States. We coach Little League in the blue States, and, yes, we've got some gay friends in the red States. There are patriots who opposed the war in Iraq, and there are patriots who supported the war in Iraq.

He only spoke for 17 minutes at that Boston convention—17 minutes—and in that time, he gave voice to what another tall, lanky lawyer from Illinois once called “the better angels of our nature.” He touched a longing deep within the hearts of millions of Americans who wanted to believe in those better angels, who wanted to believe in what Barack Obama called “the audac-

ity of hope,” the audacity to believe that America, which had achieved so many miracles, was capable of even greater goodness. People inside the convention hall and millions outside who heard that speech all had the same reaction: I have seen America's future.

I remember going back to Illinois a few days after that convention and campaigning with Barack as he was running for the U.S. Senate. He went to the most unlikely downstate towns—Calumet, IL; Freeport, IL. Huge crowds were coming in from adjoining States because they had seen him give that speech at the Democratic Convention. I knew there was something special about him.

His grandmother called him after he gave the speech. She gave him some advice. “You did well,” she said. “I just kind of worry about you. I hope you keep your head on straight.” Good advice for all of us.

A little over 4 years later, my friend—then the U.S. Senator from Illinois—was elected the 44th President. On inauguration day 2009, 2 million Americans stood shoulder to shoulder outside on the Mall near the Capitol dome and cheered as the son of a father from Kenya and a mother from Kansas placed his hand on the family Bible of Abraham Lincoln and swore to uphold and defend the Constitution of the United States.

For the last 8 years, President Barack Obama, First Lady Michelle Obama, their daughters Malia and Sasha, and First Grandmother Marian Robinson have made their home in the White House. What an irony—they were living in a house originally built by slaves.

The audacity of hope. The awe-inspiring strength of America to continually seek and stretch to be that “more perfect Union.”

Part of the miracle of America is also the peaceful transition of power from one President to the next. As we prepare for the transition to a new President, we would do well to look back on the historic Presidency of Barack Obama. He was elected and reelected President both times convincingly.

His grandmother would be proud that he has not only kept his head on straight, he has held his head high, kept his priorities straight even amidst often unprecedented, unyielding opposition and searingly personal attacks. As First Lady Michelle Obama told us, the motto for the entire Obama family has been “When they go low, we go high.” We have seen that grace in them time and time again.

President Obama is a profoundly good and decent man who has served America with dignity and integrity. He has been thoughtful, calm, and resolute—never rash or impulsive. He is a disciplined leader who has grappled honestly with complex challenges facing America and the world, and he has delivered solutions that improved lives.

In his farewell speech in Chicago, President Obama quoted the fictional

hero Atticus Finch, reminding us: “You never really understand a person until you consider things from his point of view . . . until you climb into his skin and walk around in it.” Putting himself in another person's shoes, seeing life through another person's eyes, and finding shared hopes is a lifelong habit and a special gift of this President.

He has tried his level best to heal and unite our divided Nation. His accomplishments are significant, and history will record many of them as profound.

He was first elected at a time when America badly needed hope. President Obama inherited—inherited—the greatest financial and economic crisis since the Great Depression. The country had lost more than 2 million jobs in the previous 4 months before he was sworn in. By inauguration day, the country's top four banks had lost half their value in less than a year. There was an urgent danger that not only the American economy would collapse, but the economy of the Western world was teetering in the balance.

The American Recovery and Reinvestment Act, called the stimulus bill, saved the U.S. and global economy from a major crash and helped create the conditions for recovery. Unemployment today is at 4.9 percent. America has just seen the longest streak of private job creation in the Nation's history. To borrow a phrase, thanks, Obama.

Our friends across the aisle said: Let America's auto industry die. The Obama administration said: No way. They decided to place their bets on American manufacturing and workers instead. The Center for Automotive Research estimates that the special bankruptcy process for General Motors and Chrysler saved at least 1.5 million American jobs. Detroit has posted record profits for 7 years in a row. Barack Obama would not give up on American autoworkers or American auto companies, and it paid off.

Predatory lending and other systemic abuses were the cancer at the heart of the great financial meltdown of 2008 and 2009.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be recognized for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Thank you, Mr. President.

Under this President, Congress passed the most comprehensive overhaul of financial regulations since the Great Depression, protecting consumers and taxpayers.

President Obama inherited a Federal budget hemorrhaging red ink. Under his watch, the budget deficit has fallen \$1 trillion, despite record investments in education, green energy, broadband, high-speed rail, medical research, and other high-return priorities.